

AUG 22 2005

MINUTES OF THE UNITED STATES DISTRICT COURT ~~FOR THE~~ Northern Mariana Islands
FOR THE NORTHERN MARIANA ISLANDS By _____
(Deputy Clerk)

CR-05-00027-001

August 22, 2005

10:15 a.m.

UNITED STATES OF AMERICA vs. MING YAN ZHEN aka LI-NA

PRESENT: HON. ALEX R. MUNSON, CHIEF JUDGE PRESIDING
MICHELLE C. MACARANAS, COURTROOM DEPUTY
SANAE SHMULL, COURT REPORTER
TIMOTHY MORAN, ASSISTANT U.S. ATTORNEY
G. ANTHONY LONG, ATTORNEY FOR DEFENDANT
MING YAN ZHEN aka LI-NA, DEFENDANT

PROCEEDINGS: INITIAL APPEARANCE

Attorney G. Anthony Long appeared on behalf of Defendant Ming Yan Zhen aka Li-Na for a limited term. Government was represented by Timothy Moran, AUSA. FBI Agent, Jim Barry was also present. Also present was Margarita Dlg. Wonenberg, U.S. Probation Officer.

Courtroom was sealed. Anthony Yen was sworn as interpreter for the Chinese language. Government apprised the Court that interpreter Yen may be of conflict with the defendant and that he may be a witness in this case. Attorney Long on behalf of defendant waived the conflict. After all arguments, Court ordered that the Court resume with this morning's hearing.

Attorney Long objected to the "sealing" of the courtroom for this hearing and made his argument. Government informed the Court that the matter was sealed pending the arrest. Court ordered that the case be unsealed at this time.

Defendant was advised of the charges against her in the complaint and her constitutional rights. Court set the preliminary exam for **Thursday, August 25, 2005 at 3:30 p.m.**

Government moved that the defendant be detained without bail at this time. Attorney Long argued on behalf of the defendant. After all arguments, Court ordered that the defendant be at liberty with the following terms and conditions:

1. Defendant shall not commit any offense in violation of federal, state or local law while on release in this case;
2. Defendant shall immediately advise the Court, defense counsel and United States Attorney in writing before and change in address;

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3. Defendant shall obtain a land line telephone and be subject to electronic monitoring;
4. Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed;
5. Defendant shall be released to a third party custodian that is acceptable by the Court;
6. Defendant shall execute a secured bond binding the defendant to pay the United States the sum of \$50,000 in the event of her a failure to appear as required or to surrender as directed for service of any sentence imposed;
7. Defendant shall verify to this Court that her passport is being held with the Superior Court and if it is released, it shall be surrendered to the Clerk of this Court and that she obtain no duplicate passport or travel documents;
8. Defendant shall not leave the island of Saipan without the written permission of this Court;
9. Defendant shall avoid all contact, directly or indirectly, with any persons who are or may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: (1) Lian Wei; (2) Chi Xiumei; (3) Wei Quixiang unless she is with her attorney in preparation of her defense; Defendant may see her brother but not discuss any aspects of this case;
10. Defendant shall refrain from possessing firearms, destructive devices, or other dangerous weapons or having them at her residence or business;
11. Defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substance unless prescribed by a licensed medical practitioner;
12. Defendant shall submit to any method of testing required by the pretrial services officer or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing;
13. Defendant shall submit to pretrial services supervision under the direction of the United States Probation Office;
14. Defendant shall refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which are required as a condition of her bail;
15. Defendant shall have a curfew which restricts her to her residence everyday from 6:00 pm to 6:00 a.m.

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Attorney Long moved the Court for an exception as to Mr. Anthony Yen as one the defendant shall avoid any contact with any persons who may be a witness in this case. Government maintained the possible conflict of Mr. Yen and that defense use another interpreter. Government informed the Court and Mr. Long that any employee of the Tea House Karaoke Club including the defendant's brother may be witnesses in this matter. Court ordered that the defendant may see her brother but not discuss any aspects of this matter.

Court remanded the defendant back into the custody of the U.S. Marshal until further order of the Court or meets all conditions as set.

Adj. 11:10 a.m.

A handwritten signature in black ink, appearing to read 'MCM', is written over the typed name.

Michelle C. Macaranas, Deputy Clerk